

Message

From: 404Assumption-FL [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E17C62EB477B48CFA42C0CEDD631C005-HALL, ROSEMARY]
Sent: 10/8/2020 5:55:02 PM
To: 'Lindsay Dubin' [ldubin@defenders.org]
Subject: RE: Documents Regarding Florida 404 Assumption Application

Hello, Ms. Dubin – I apologize for the delay. I am responding for Mr. Laycock as he is on leave.

The State of Florida submitted their Biological Assessment to EPA, which EPA then made minor changes to before submitting it to the US Fish & Wildlife Service as a federal agency document, including renaming it a Biological Evaluation to help clarify the distinction.

Regards,

Rosemary (Hall) Calli
Section Chief, Wetlands & Streams Regulatory Section
Aquatic Ecotoxicologist
U.S. Environmental Protection Agency, Region IV

404.562.9846
Calli.Rosemary@epa.gov

From: Lindsay Dubin <ldubin@defenders.org>
Sent: Thursday, October 1, 2020 6:27 PM
To: 404Assumption-FL <404Assumption-FL@epa.gov>
Subject: RE: Documents Regarding Florida 404 Assumption Application

Thank you for your response. You referenced a Biological Evaluation below. Is this the same document as the Biological Assessment that was drafted by the State of Florida?

Thank you very much for your assistance.

From: 404Assumption-FL <404Assumption-FL@epa.gov>
Sent: Thursday, September 24, 2020 9:36 AM
To: 404Assumption-FL <404Assumption-FL@epa.gov>; Lindsay Dubin <ldubin@defenders.org>
Subject: RE: Documents Regarding Florida 404 Assumption Application

Ms. Dubin,

As a follow up to my last email, all documents on the docket should now be available for download.

The Biological Evaluation will need to be requested via FOIA request to FOIAonline.gov.

Please let me know if I can be of further assistance.

Thank you,

Kelly Laycock
Wetlands Regulatory Section
U.S. Environmental Protection Agency

61 Forsyth St.
Atlanta GA, 30303
phone 404 562 9132

From: 404Assumption-FL <404Assumption-FL@epa.gov>
Sent: Wednesday, September 23, 2020 1:30 PM
To: Lindsay Dubin <ldubin@defenders.org>; 404Assumption-FL <404Assumption-FL@epa.gov>
Subject: RE: Documents Regarding Florida 404 Assumption Application

Ms. Dubin,

We are currently trying to correct the copyright issue on our website. In the meantime, all the documents should be available on FDEP's site at <ftp://ftp.dep.state.fl.us/pub/outgoing/404%20Assumption%20Application/>

I am also looking into my ability to share the biological assessment and will follow up when I have an answer.

ESA Section 7 consultation has not been completed at this time and a Biological Opinion or an Incidental Take Statement have not yet been issued.

Thank you,

Kelly Laycock
Wetlands Regulatory Section
U.S. Environmental Protection Agency
61 Forsyth St.
Atlanta GA, 30303
phone 404 562 9132

From: Lindsay Dubin <ldubin@defenders.org>
Sent: Tuesday, September 22, 2020 4:36 PM
To: 404Assumption-FL <404Assumption-FL@epa.gov>
Subject: Documents Regarding Florida 404 Assumption Application

Good afternoon Mr. Laycock,

I am reviewing the regulations.gov docket for Florida's request to assume control of CWA Section 404 permitting. I noticed that there are some documents that are unavailable for download on this part of the docket:

<https://beta.regulations.gov/document/EPA-HQ-OW-2018-0640-0002>

The documents that are unavailable for download have a picture of a lock next to their titles. Is there any way the public may please have access to these documents as well?

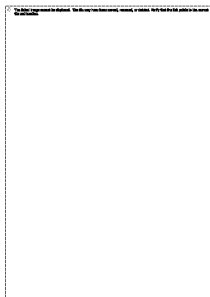
Moreover, would you mind please sharing a copy of the state's Biological Assessment regarding its request for assumption?

Finally, has EPA completed ESA Section 7 consultation on its assumption request, and if so, could you please share a copy of any biological opinion and Incidental Take Statement resulting from consultation?

If you have any questions, please feel free to give me a call at 847-769-8137.

Thank you very much,

Lindsay Dubin



Lindsay Dubin (she/her)

Staff Attorney

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